

# Exhibit 1

**SAMUEL MYODA, PhD, Volume I, 3-18-09**

1

1 IN THE UNITED STATES DISTRICT COURT FOR THE  
2 NORTHERN DISTRICT OF OKLAHOMA  
3  
4

5 W. A. DREW EDMONDSON, in his )  
6 capacity as ATTORNEY GENERAL )  
7 OF THE STATE OF OKLAHOMA and )  
8 OKLAHOMA SECRETARY OF THE )  
9 ENVIRONMENT C. MILES TOLBERT, )  
10 in his capacity as the )  
11 TRUSTEE FOR NATURAL RESOURCES )  
12 FOR THE STATE OF OKLAHOMA, )

13 Plaintiff, )

14 vs. )

4:05-CV-00329-TCK-SAJ

15 TYSON FOODS, INC., et al, )

16 Defendants. )

17 - - - - -  
18 VOLUME I OF THE VIDEOTAPED  
19 DEPOSITION OF SAMUEL MYODA PhD, produced as a  
20 witness on behalf of the Plaintiff in the above  
21 styled and numbered cause, taken on the 18th day of  
22 March, 2009, in the City of Tulsa, County of Tulsa,  
23 State of Oklahoma, before me, Lisa A. Steinmeyer, a  
24 Certified Shorthand Reporter, duly certified under  
25 and by virtue of the laws of the State of Oklahoma.

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**A P P E A R A N C E S**

FOR THE PLAINTIFFS: Mr. David Page  
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Tulsa, OK 74119

FOR TYSON FOODS: Mr. Gordon Todd  
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FOR CARGILL: Ms. Theresa Hill  
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FOR SIMMONS FOODS: Mr. John Elrod  
Attorney at Law  
211 East Dickson Street  
Fayetteville, AR 72701  
(Via phone)

FOR PETERSON FARMS: Mr. Scott McDaniel  
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320 South Boston  
Suite 700  
Tulsa, OK 74103

FOR GEORGE'S: Mr. James Graves  
Attorney at Law  
221 North College  
Fayetteville, AR 72701

ALSO PRESENT: Dr. Tamzen Macbeth

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I N D E X

| W I T N E S S                  | P A G E |
|--------------------------------|---------|
| SAMUEL MYODA, PhD              |         |
| Direct Examination by Mr. Page | 4       |
| Signature Page                 | 278     |
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|   |   |       |
|---|---|-------|
| 1 | A | Okay. |
|---|---|-------|

2 Q That would be on the lower floor?

|   |          |      |
|---|----------|------|
| 3 | <b>A</b> | Yep. |
|---|----------|------|

4 Q Setup for qPCR in the same room where --

5 | **A** Yeah. I think that's about it. Right here 10:23AM

6 | where the office and reception is is where we have

7 | our business licenses and our accreditations. You

8 know, of course, we're HLA accredited, ISO

9 | certified, CLEA FDA registered.

|    |   |                                       |         |
|----|---|---------------------------------------|---------|
| 10 | Q | I'm going to move to strike. It's not | 10:24AM |
|----|---|---------------------------------------|---------|

11 responsive to a question. Dr. Myoda, who defined

12 | your QA/QC protocols for this particular project?

13     **A**     All our QA/QC protocols are defined. We have

14 a QA/QC team. Marat and Ed Kodcedes (phonetic) are

15 the folks that are in charge of our QA/QC, and I 10:24AM

16 apologize. I will get you the spelling of Marat's

|    |            |
|----|------------|
| 17 | last name. |
|----|------------|

18 Q Okay. Were those QA/QC protocols for this

19 case published anywhere, written down anywhere?

20      **A**      Well, we provided a copy of our QA/QC manual      10:24AM

21 to you.

22 Q Okay. In that manual do you have any specific

23 QA/QC procedures for the work that you did in this

|    |       |
|----|-------|
| 24 | case? |
|----|-------|

|    |  |         |
|----|--|---------|
| 25 | <b>A</b> Well, the work we do in this case, as well as | 10:25AM |
|----|--|---------|

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